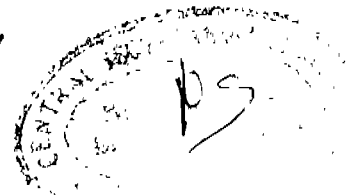




# भारत का राजपत्र The Gazette of India

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भाग II—खण्ड 2  
PART II—Section 2  
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## LOK SABHA

The following Bills were introduced in Lok Sabha on 29th February, 1996 :—

BILL NO. 2 OF 1996

*A Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1958 and the High Court Judges (Conditions of Service) Act, 1954.*

BE it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows:—

### CHAPTER I

#### PRELIMINARY

1. (1) This Act may be called the Supreme Court and High Court Judges (Conditions of Service) Amendment Act, 1996.

Short title and  
commence-  
ment.

(2) It shall be deemed to have come into force on the 11th day of January, 1996.

### CHAPTER II

#### AMENDMENT OF THE SUPREME COURT JUDGES (CONDITIONS OF SERVICE) ACT, 1958

41 of 1958.

2. In section 23A of the Supreme Court Judges (Conditions of Service) Act, 1958 (hereafter in this Chapter referred to as the Supreme Court Judges Act), for the words "one hundred and fifty litres of petrol every month or the actual consumption of petrol", the words "two hundred litres of fuel every month or the actual consumption of fuel" shall be substituted.

Amendment of  
Section 23A.

3. In section 23B of the Supreme Court Judges Act, for the words "one thousand two hundred and fifty", and "seven hundred and fifty", the words "four thousand and "three thousand" shall respectively be substituted.

Amendment of  
Section 23B.

## CHAPTER III

## AMENDMENT OF THE HIGH COURT JUDGES (CONDITIONS OF SERVICE) ACT, 1954

Amendment of  
Section 22B.

4. In section 22B of the High Court Judges (Conditions of Service) Act, 1954 (hereafter in this Chapter referred to as the High Court Judges Act), for the words "one hundred and fifty litres of petrol every month or the actual consumption of petrol", the words "two hundred litres of fuel every month or the actual consumption of fuel" shall be substituted.

28 of 1954.

Amendment of  
Section 22C.

5. In section 22C of the High Court Judges Act, for the words "five hundred" and "three hundred", the words "three thousand" and "two thousand" shall respectively be substituted.

Repeal and  
saving.

6. (1) The Supreme Court and High Court Judges (Conditions of Service) Amendment Ordinance, 1996, is hereby repealed.

Ord. 7 of  
1996.

(2) Notwithstanding such repeal, anything done or any action taken under the Supreme Court Judges Act and the High Court Judges Act, as amended by the Ordinance so repealed shall be deemed to have been done or taken under the corresponding provisions of the respective Act aforesaid as amended by this Act.

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## STATEMENT OF OBJECTS AND REASONS

The conditions of service of the Judges of the Supreme Court and High Courts are governed by the Supreme Court Judges (Conditions of Service) Act, 1958 and the High Court Judges (Conditions of Service) Act, 1954 respectively. Since the passing of the High Court and Supreme Court Judges (Conditions of Service) Amendment Act, 1986, there has been no modification of the conditions of service of Supreme Court and High Court Judges. There has been a persistent demand for the further improvement of the conditions of service of the Judges of the Supreme Court and High Courts.

2. There had been increase in the price of petrol from time to time. Besides, the Judges have to undertake more journeys now a days for attending seminars, conferences, etc. Similarly, Chief Justices and Judges are required to hold periodical meetings of Judicial Officers and with the members of the Bar. Considering the increase in the number of participants in such meetings and also the increase in the cost of eatables and considering the increase in the price of petrol, it has become necessary to amend the aforesaid Acts to increase the sumptuary allowances and conveyance facilities to the Chief Justices and Judges. Since Parliament was not in session, the President promulgated the Supreme Court and High Court Judges (Conditions of Service) Amendment Ordinance, 1996 on the 11th day of January, 1996 to give effect to the increase in the sumptuary allowance and conveyance facilities to the Judges.

3. The Bill seeks to replace the said Ordinance,

NEW DELHI;  
*The 14th February, 1996.*

HANSRAJ BHARDWAJ.

## FINANCIAL MEMORANDUM

Clauses 2 and 4 of the Bill seek to amend section 23A of the Supreme Court Judges (Conditions of Service) Act, 1958 and section 22B of the High Court Judges (Conditions of Service) Act, 1954 to raise the entitlement of petrol to the Judges from one hundred and fifty litres of petrol every month to two hundred litres of fuel every month. The additional expenditure on this account in respect of the Judges of the Supreme Court and Delhi High Court will be charged on the Consolidated Fund of India. On the basis of present rate of petrol and the sanctioned strength of the Judges of the Supreme Court and Delhi High Court, which is 26 and 31 respectively the additional recurring expenditure on the aforesaid account works out to be about Rs. 5,81,400 per annum. In respect of the Judges of the other High Courts, the expenditure will be charged on the Consolidated Fund of the States.

2. Clauses 3 and 5 of the Bill seek to amend section 23B of the Supreme Court Judges (Conditions of Service) Act, 1958 and section 22C of the High Court Judges (Conditions of Service) Act, 1954 to increase the sumptuary allowance payable to the Judges. The sumptuary allowance shall be raised to Rs. 4000 per month from Rs. 1250 per month for the Chief Justice of India and to Rs. 3000 per month from Rs. 750 per month for the Judges of the Supreme Court. For the Chief Justices of the High Courts, the sumptuary allowance shall be raised to Rs. 3000 per month from Rs. 500 per month and for the Judges of the High Courts it shall be raised to Rs. 2000 per month from Rs. 300 per month. The additional recurring expenditure of Rs. 13,50,000 per annum on account of sumptuary allowance in respect of Judges of the Supreme Court and Delhi High Court will be charged on the Consolidated Fund of India. In respect of the Judges of the other High Courts the additional expenditure on this account will be charged on the Consolidated Fund of the States.

3. There will be no other recurring or non-recurring expenditure on account of proposals contained in the Bill.

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*Memorandum indicating the Modification in the Bill to replace the Supreme Court and High Court Judges (Conditions of Service) Amendment Ordinance, 1996*

Minor verbal alteration of a drafting nature has been made in clause 2 of the Bill so as to make the intention clear.

## II

## BILL NO. 3 OF 1996

*A Bill to provide for the inclusion of Koch-Rajbongshi in the list of Scheduled Tribes specified in relation to the State of Assam.*

BE it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 1996.

Short title and commencement.

(2) It shall be deemed to have come into force on the 27th day of January, 1996.

2. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in "PART II—Assam", under the heading "II. In the State of Assam excluding the autonomous districts:—", after item 9 and the entry relating thereto, the following item and entry shall be added, namely:—

Amendment of the Constitution (Scheduled Tribes) Order, 1950

**"10. Koch-Rajbongshi."**

Ord. 9 of 1996 3. (1) The Constitution (Scheduled Tribes) Order (Amendment) Ordinance, 1996, is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the Constitution (Scheduled Tribes) Order, 1950, as amended by the said Ordinance, shall be deemed to have been done or taken under the said Order, as amended by this Act.

### STATEMENT OF OBJECTS AND REASONS

The tribal community of Koch-Rajbongshi in the State of Assam was not included in the list of Scheduled Tribes of that State and accordingly this tribal community did not derive the benefits of various safeguards provided for the Scheduled Tribes in the Constitution. The State Government of Assam had recommended the inclusion of this community in the list of Scheduled Tribes in relation to that State. As there was persistent demand for the inclusion of this community in the list of Scheduled Tribes in that State and Parliament was not in session, the President promulgated the Constitution (Scheduled Tribes) Order (Amendment) Ordinance, 1996 (9 of 1996) on the 27th day of January, 1996, to give effect to the aforesaid proposal.

2. This Bill seeks to replace the said Ordinance.

NEW DELHI;  
*The 14th February, 1996.*

SITARAM KESRI.

**FINANCIAL MEMORANDUM**

Clause 2 of the Bill seeks to include the community of Koch-Rajbongshi in the State of Assam in the list of Scheduled Tribes of that State. This shall involve additional recurring and non-recurring expenditure for the benefits to be provided to the persons belonging to this community under the various existing schemes meant for the Scheduled Tribes. It is not possible to estimate at this stage the likely expenditure to be involved on this account. However, the expenditure, whether recurring or non-recurring, will be met out of the budgetary grants of the Ministry of Welfare.

2. The Bill, when enacted, will not involve any other recurring or non-recurring expenditure.

S.N. MISHRA  
*Secretary General.*

